

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	CRIMINAL NO.
)	
v.)	Ct. 1- Operation of Unlicensed Money
)	Transmitting Business
)	18 U.S.C. 1960
LOUAY HABBAL,)	
)	
Defendant.)	

INDICTMENT

MARCH 2005 TERM- AT ALEXANDRIA

General Allegations

1. At all times relevant to this indictment, the term “*money transmitting*” includes transferring funds on behalf of the public by any and all means including but not limited to transfers within this country or to countries abroad by wire, check, draft, facsimile, or courier.

2. At all times relevant to this indictment, the Code of Virginia provided that it was a crime to engage in the business of money transmission without a license to do so from the Virginia State Corporation Commission.

3. From on or about November 1, 2001 through July, 2004, defendant LOUAY HABBAL illegally operated an unlicensed money transmitting business under the name MENA EXCHANGE. In the course of operating the unlicensed money transmitting business, HABBAL received monies from customers nationwide and deposited such monies into bank accounts in the Eastern District of Virginia and elsewhere. After taking some portion of the deposited

monies as fees for his services, HABBAL then transferred the remaining monies to other entities, for further transfer and distribution to individuals overseas who had been designated by HABBAL's customers in the United States.

4. From on or about November 1, 2001 through July, 2004, HABBAL advertised MENA EXCHANGE by, among other ways, displaying the website MenaExchange.com.

MenaExchange.com describes MENA EXCHANGE as a service provided by Mena First Capital, LLC, which transmits funds between the United States, the Middle East and North Africa.

5. From on or about November 1, 2001 through July, 2004, MENA EXCHANGE accepted cash, personal checks, bank drafts, money orders, wire transfers and ACH direct debits from customers. Checks and money orders were made payable to "Mena First Capital, LLC," "Mena Exchange" and/or "Louay Habbal" for the amount transmitted plus applicable fees, and were mailed to HABBAL's post office box with an address of 344 Maple Avenue West, #241, Vienna, Virginia, 22180. Cash, personal checks, cashier checks and money orders were also frequently deposited directly by HABBAL's customers into HABBAL's bank account(s).

6. HABBAL received the following amounts of money through MENA EXCHANGE for the time period listed:

Bank	Account #	Account name	Amount Deposited
United Bank	*****1658	Mena First Capital, LLC	\$442,781.42 May, 2003-May, 2004
Bank of America	*****5733	Mena First Capital d/b/a Mena Exchange	\$23,674,318.97 Nov., 2001-July, 2004
Bank of America	*****1740	Mena First Capital d/b/a/ Mena Exchange	\$1,426,053.48 Nov., 2001-June, 2004

7. HABBAL transferred, or caused to be transferred, the following amounts of money in furtherance of the operation of his unlicensed money transmitting business, MENA EXCHANGE, for the time period listed.

Bank	Account #	Account name	Amount Transferred
United Bank	*****1658	Mena First Capital, LLC	\$442,495.32 May, 2003-May, 2004
Bank of America	*****5733	Mena First Capital d/b/a Mena Exchange	\$23,274,306.95 Nov., 2001-July, 2004
Bank of America	*****1740	Mena First Capital d/b/a/ Mena Exchange	\$1,317,090.70 Nov., 2001-June 2004

COUNT 1

Operation of Unlicensed Money Transmitting Business

1. Paragraphs 1 through 7 of the General Allegations section are hereby re-alleged and incorporated by reference, as though fully set forth herein.

2. Since October 26, 2001, Title 18, United States Code, Section 1960, has prohibited the operation of an *unlicensed* money transmitting business, meaning a money transmitting business which affects interstate or foreign commerce in any manner or degree and-

(A) is operated without an appropriate money transmitting license in the Commonwealth of Virginia, where such operation is punishable as a misdemeanor under state law, whether or not the defendant knew that the operation was required to be licensed or that the operation was so punishable; or

(B) is not registered with the Secretary of Treasury as required under the provisions of Title 31, United States Code, Section 5330.

3. From on or about November 1, 2001 through July, 2004, in the Eastern District of Virginia and elsewhere, defendant LOUAY HABBAL did unlawfully and knowingly conduct, control, manage, supervise, and direct an unlicensed money transmitting business.

4. The value of the funds the defendant transferred, or caused to be transferred, through MENA EXCHANGE exceeded \$23,274,306.95.

(In violation of Title 18, United States Code, Section 1960)

FORFEITURE

If convicted of Count 1 of this indictment, defendant shall forfeit to the United States any property, real or personal, involved in or fungible with, or traceable to such offense.

(Pursuant to Title 18, United States Code, Section 981(a)(1)(A) and Title 28, United States Code, Section 2461).

A TRUE BILL:

FOREPERSON OF THE GRAND JURY

Paul J. McNulty
United States Attorney

By: _____
Steven D. Mellin
Assistant United States Attorney

By: _____
Jessica Lombardo
Special Assistant United States Attorney